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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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EXAMINER

NALVEN, ANDREW L

ART UNIT	PAPER NUMBER
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2134

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/525,702

Applicant(s)

MITTAL ET AL.

Examiner

Andrew L. Nalven

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-3,5 and 6 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,5 and 6 is/are rejected.
- 7) ☒ Claim(s) 2-3 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 March 2000 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 1-6, 12-16, and 20 are pending.
2. Amendment submitted 14 September 2004 has been received and entered.

### ***Drawings***

3. This application has been filed with informal drawings that are acceptable for examination purposes only. Formal drawings will be required when the application is allowed.

### ***Response to Arguments***

4. Applicant's arguments filed 14 September 2004 with regards to claims 1-6 as rejected by the Mi reference (US Patent No. 6,418,472) have been fully considered but they are not persuasive. Applicant has argued on page 4 that Mi does not disclose a microprocessor that includes microcode for performing a hash value comparison operation. Examiner respectfully disagrees. Examiner continues to rely on the response to arguments found in office action mailed 6/17/04 (see paragraph 4), but adds the following arguments for additional clarification. Mi teaches all of the limitations as disclosed in claim 1. Mi teaches an identifier that identifies a microprocessor (Mi, column 3, lines 42-44) and embedded instructions that comprise microcode for comparing a hash value derived from an identifier and a key to an expected hash value

(Mi, column 3 lines 17-33, column 3 lines 63-67, column 4 lines 8-20, column 3 lines 42-62, microcode). As currently presented, claim 1 presents limitations requiring embedded instructions comprising microcode to compare two values: a hash value and an expected hash value. Mi teaches the comparison of two values using a microprocessor that uses microcode. Microcode is a technique for implementing the instruction set of a microprocessor (see included definition from <http://dict.die.net/microcode/>). Every processor's instruction set contains a compare instruction. Possible forms of such instructions include branch, branch if equal, branch if not equal, and generic compare instructions. Instructions of these forms take as parameters two values for comparison. Thus, Mi's disclosure of a comparison of a hash value and an expected hash value teaches "embedded instructions that comprise microcode for comparing a hash value derived from an identifier and a key to an expected hash value" by using a form of compare instruction (microcode) to make the comparison between the hash value and expected hash value.

### ***Claim Rejections - 35 USC § 102***

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States

only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

6. Claims 1, 5, and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Mi et al US Patent No. 6,418,472. Mi teaches a system for using Internet based caller ID for allowing access to an object.

7. With regards to claim 1, Mi teaches an identifier that identifies a microprocessor (Mi, column 3, lines 42-44) and embedded instructions that comprise microcode for comparing a hash value derived from an identifier and a key to an expected hash value (Mi, column 3 lines 17-33, column 3 lines 63-67, column 4 lines 8-20, column 3 lines 42-62, microcode).

8. With regards to claim 5, Mi teaches the key corresponding to a web site address (Mi, column 7, lines 5-9).

9. With regards to claim 6, Mi teaches the expected hash being derived from a key that corresponds to a web site address and a processor number (Mi, column 7, lines 9-14).

#### ***Allowable Subject Matter***

10. Claims 2- and 3 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

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11. The following is a statement of reasons for the indication of allowable subject matter:

12. Claim 2 provides a limitation directed towards embedded instructions comprising microcode for producing a hash value that is a function of the identifier and a key. The cited prior art, the Mi reference, provides software steps for creating a hash value from an identifier and a key, but fails to disclose a microprocessor based microcode instruction for the generation of a hash value from an identifier and a key (see Applicant's arguments submitted 14 September 2004, page 5). Thus, the cited prior art fails to anticipate or render obvious the cited claims.

### ***Conclusion***

13. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

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the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Andrew L Nalven whose telephone number is 571 272 3839. The examiner can normally be reached on Monday - Thursday 8-6, Alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Gregory Morse can be reached on 571 272 3838. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Andrew Nalven



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